



C. Earl Hunter, Commissioner

*Promoting and protecting the health of the public and the environment.*

## PUBLIC NOTICE

TO: Adjacent Landowners of the Proposed MRR Sandhills Class 3 Landfill and Interested Parties

FROM: Joan F. Litton, Manager *JFL*  
Solid Waste Permitting Section  
Division of Mining and Solid Waste Management  
Bureau of Land and Waste Management

DATE: May 20, 2010

SUBJECT: Notice of Draft Determinations of Need and Consistency and Draft Decision

**The Department's Draft Decision is that MRR Sandhills, LLC will not be allowed to proceed with the permitting process for the proposed facility.**

The South Carolina Department of Health and Environmental Control (the Department) hereby notifies adjacent landowners of the proposed MRR Sandhills, LLC Class 3 Landfill and interested parties that on May 20, 2010, the Department issued its Draft Determinations of Need and Consistency and Draft Decision on the proposed new landfill. A copy of the newspaper advertisement of this Public Notice is enclosed that summarizes the Department's Draft Determinations and Draft Decision, provides information on the permitting process, and describes the opportunity for reviewing the draft determinations and for submitting comments to the Department during the 30-day public comment period.

The Department has created a dedicated internet web page for the proposed MRR Sandhills, LLC Class 3 Landfill at the following location: <http://www.scdhec.gov/MarlboroLandfill>. From this site, interested persons may view background information on the proposed landfill including a location map and site plan, general information on Class 3 Landfills, the applicable SC Solid Waste Regulations, and the entire DHEC file for this proposed facility.

Should you have any questions, please feel free to contact Ernell J. Hartwell of my staff at (803) 896-4230.

JFL/JMM/jmm

Enclosure

## PUBLIC NOTICE

### SC DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

#### Notice of Draft Determinations and Draft Decision

Proposed Activity: A new Class 3 Landfill to be owned/operated by MRR Sandhills, LLC

Location: Landfill to be located on a portion of a 1,050 acre tract approximately 7 miles northeast of the Wallace community, in northern Marlboro County, bordered to the west by SC Highway 177 and bordered to the north by the North Carolina-South Carolina state line. Coordinates: Lat. 34°47'40.5" N, Long. 79°45'14.5" W

Draft Decision: MRR Sandhills, LLC will not be allowed to proceed with the permitting process for this proposed facility

The South Carolina Department of Health and Environmental Control's (SC DHEC) Solid Waste Permitting Section has received a request for Determinations of Need and Consistency from MRR Sandhills, LLC, for a proposed Class Three Landfill at the above-referenced location.

Pursuant to Regulation 61-107.19, *Solid Waste Management: Solid Waste Landfills and Structural Fill*, and prior to submittal of a permit application to the Department for a new Class Three Landfill, the following draft determinations have been completed by the Department and are ready for review:

1. That the proposed landfill has met the requirements of Regulation 61-107.17, *Solid Waste Management: Demonstration of Need*, and that the Department has determined the maximum yearly disposal rate to be 1,480,000 tons;
2. That the proposed landfill is consistent with the State and 2001 Marlboro County solid waste management plans;
3. That the proposed landfill meets the required 1,000-foot buffer to a residence, hospital, school, day-care center or publicly-owned recreational park area, as required by Regulation 61-107.19, Part V, Subpart B.258.18.a; and,
4. That the proposed landfill expansion is not consistent with Marlboro County Ordinance # 545 (zoning ordinance) dated April 11, 2002.

Furthermore, as a consequence of the Department's finding that the landfill is not consistent with zoning, specifically Marlboro County Ordinance # 545, the Department's draft decision is that all requirements of the first phase of the permitting process have not been met. Therefore, should this draft decision become the Department's final decision, MRR Sandhills, LLC will not be allowed to proceed with the permitting process for this proposed facility.

The public is hereby notified that the Department has prepared draft determinations and a draft decision for the proposed landfill indicated above and that the requests for determinations, supporting documentation, and the Department's Draft Determinations and Decision letter that was issued on May 20, 2010, may be reviewed on the Department's dedicated internet web page for the proposed landfill (<http://www.scdhec.gov/MarlboroLandfill>) or by appointment during normal working hours at the following locations:

SC DHEC / Bureau of Land and Waste Management  
8911 Farrow Road  
Columbia, SC 29203  
(803) 896-4230  
Solid Waste Contact: Emnell Hartwell

SC DHEC / Office of Environmental Quality Control  
Region 4 – Florence Office  
145 E. Cheves St.  
Florence, SC 29506  
(843) 661-4825  
Solid Waste Contact: Keith Lane

Pursuant to Regulation 61-107.19, this type of facility is allowed to accept municipal solid waste, industrial solid waste, sewage sludge, non-hazardous municipal solid waste incinerator ash and other non-hazardous wastes. A copy of the regulation is available upon request, and may also be viewed on DHEC's website at <http://www.scdhec.gov/environment/lwm/regs/R61-107-19.pdf>.

Any interested person(s) may submit written comments concerning the Department's draft determinations and draft decision to this mailing address: Mr. Ernell Hartwell, BLWM, SCDHEC, 2600 Bull Street, Columbia, SC 29201. To be considered, all comments or requests should be received no later than 5:00 p.m. on Monday, June 21, 2010, at which time the public comment period will end.

Interested parties may also include a request for a public hearing. The Department will conduct a public hearing upon receipt of requests in writing by ten persons or by a governmental subdivision or agency or by an association having not less than ten members.

Any individuals with disabilities or special needs who want to review the draft determinations should contact Ernell Hartwell at (803) 896-4230 at least one week prior to the end of the public comment period to discuss any special services required.